

Eric J. Neiman, OSB #823513

Eric.Neiman@lewisbrisbois.com

Emma P. Pelkey, OSB #144029

Emma.Pelkey@lewisbrisbois.com

LEWIS BRISBOIS BISGAARD & SMITH LLP

888 SW Fifth Avenue, Suite 900

Portland, Oregon 97204-2025

Telephone: 971.712.2800

Facsimile: 971.712.2801

Honorable Michael W. Mosman

Thomas R. Johnson, #010645

TRJohnson@perkinscoie.com

Alex Van Rysselberghe, OSB #174836

AVanRysselberghe@perkinscoie.com

PERKINS COIE, LLP

1120 NW Couch 10th Floor

Portland, OR 97209

Telephone: 503.727.2000

Facsimile: 503.727.2222

Attorneys for Intervenors and Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

DISABILITY RIGHTS OREGON,
METROPOLITAN PUBLIC DEFENDERS
INCORPORATED, and A.J. MADISON,

Plaintiffs,

v.

PATRICK ALLEN, in his official capacity as
Director of Oregon Health Authority,
DOLORES MATTEUCCI, in her official
capacity as Superintendent of the Oregon
State Hospital,

Defendants,

and

Case No. 3:02-cv-00339-MO (Lead Case)
Case No. 3:21-cv-01637-MO (Member Case)
Case No. 6:22-cv-01460-MO (Member Case)

**DECLARATION OF ERIC J. NEIMAN IN
SUPPORT OF UNOPPOSED MOTION
FOR EXTENSION OF TIME TO
RESPOND TO PLAINTIFFS' MOTION
TO CLARIFY ORDER ON
INTERVENTION**

4878-5446-4327.1

DECLARATION OF ERIC J.
NEIMAN IN SUPPORT OF
UNOPPOSED MOTION FOR
EXTENSION OF TIME TO RESPOND
TO PLAINTIFFS' MOTION TO
CLARIFY ORDER ON
INTERVENTION

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LEWIS BRISBOIS BISGAARD & SMITH LLP
888 SW Fifth Avenue, Suite 900
Portland, Oregon 97204-2025
Telephone: 971.712.2800 • Fax 971.712.2801

PERKINS COIE LLP
1120 N.W. Couch Street, Tenth Floor
Portland, Oregon 97209-4128
Phone: +1.503.727.2000 • Fax:
+1.503.727.2222

LEGACY EMANUEL HOSPITAL &
HEALTH CENTER d/b/a UNITY CENTER
FOR BEHAVIORAL HEALTH, LEGACY
HEALTH SYSTEM, PEACEHEALTH,
PROVIDENCE HEALTH & SERVICES –
OREGON, and ST. CHARLES HEALTH
SYSTEM,

Intervenors.

METROPOLITAN PUBLIC DEFENDERS
INCORPORATED, JAROD BOWMAN,
JOSHAWN DOUGLAS-SIMPSON,

Plaintiffs,

v.

DOLORES MATTEUCCI, Superintendent of
the Oregon State Hospital, in her individual
and official capacity, PATRICK ALLEN,
Director of the Oregon Health Authority, in
his individual and official capacity,

Defendants,

and

LEGACY EMANUEL HOSPITAL &
HEALTH CENTER d/b/a UNITY CENTER
FOR BEHAVIORAL HEALTH, LEGACY
HEALTH SYSTEM, PEACEHEALTH,
PROVIDENCE HEALTH & SERVICES –
OREGON, and ST. CHARLES HEALTH
SYSTEM,

Intervenors.

Case No. 3:21-cv-01637-MO (Member Case)

LEGACY EMANUEL HOSPITAL &
HEALTH CENTER d/b/a UNITY CENTER
FOR BEHAVIORAL HEALTH; LEGACY
HEALTH SYSTEM; PEACEHEALTH;
PROVIDENCE HEALTH & SERVICES –
OREGON, and ST. CHARLES HEALTH
SYSTEM

Plaintiffs,

Case No. 6:22-cv-01460-MO (Member Case)

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<p>v. PATRICK ALLEN, in his official capacity as Director of Oregon Health Authority, Defendant.</p>
--

I, Eric J. Neiman, declare:

1. I am one of the attorneys of record for Legacy Emanuel Hospital & Health Center d/b/a Unity Center for Behavioral Health; Legacy Health System; PeaceHealth; Providence Health & Services – Oregon, and St. Charles Health System (“Intervenor-Plaintiffs”) in this case. I make this declaration based on personal knowledge and am competent to testify to the matters stated here.

2. On December 22, 2022, the Oregon Health Authority filed a Motion to Dismiss the *Legacy* matter. On December 23, 2022, Disability Rights Oregon and Metropolitan Public Defender, as Plaintiffs in the *Mink-Bowman* matter, filed a Motion to Clarify Order on Intervention in the *Mink-Bowman* matter.

3. Intervenor-Plaintiffs’ response to the Motion to Clarify Order on Intervention is due January 6, 2023. Intervenor-Plaintiffs’ response to the Motion to Dismiss is due January 26, 2023.

4. Intervenor-Plaintiffs request a 20-day extension of time, from January 6, 2023 to January 26, 2023, to respond to Plaintiffs’ Motion to Clarify Order on Intervention.

5. This extension will permit Intervenor-Plaintiffs to file responses to both motions at the same time. This extension will provide adequate time to prepare a proper responsive pleading.

6. This motion is brought in good faith and not for the purpose of delay.

7. On December 30, 2022, as counsel for Intervenor-Plaintiffs, I conferred with counsel for Plaintiffs and Defendants, who do not oppose this motion.

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I hereby declare that the above statement is true to the best of my knowledge and belief, and I understand this declaration is made for use as evidence in court and is subject to penalty for perjury.

DATED this 4th day of January, 2023.

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: s/ Eric J. Neiman
Eric J. Neiman, OSB #823513
Telephone: 971.712.2800
Facsimile: 971.712.2801

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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of January, 2023, I electronically filed the foregoing **DECLARATION OF ERIC J. NEIMAN IN SUPPORT OF UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFFS' MOTION TO CLARIFY ORDER ON INTERVENTION** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Attorneys for Plaintiffs:

Emily R. Cooper
Kathleen L. Wilde
Thomas Stenson
Disability Rights Oregon
511 SW 10th Avenue
Suite 200
Portland, OR 98104
ecooper@droregon.org
kwilde@droregon.org
tstenson@droregon.org

Jesse A. Merrithew
Metropolitan Public Defenders Incorporated
Levi Merrithew Horst LLP
610 SW Alder St.
Suite 415
Portland, OR 97205
jesse@lmhlegal.com

Attorneys for Defendants:

Carla Scott
Craig M. Johnson
Oregon Department of Justice
100
SW Market Street
Portland, OR 97201
carla.a.scott@doj.state.or.us
craig.m.johnson@doj.state.or.us

Attorneys for Amicus Washington County:

Thomas A. Carr
Washington County Counsel
155 N. First Avenue
MS 24
Suite 340
Hillsboro, OR 97124
tom_carr@co.washington.or.us

Attorneys for Amicus Marion County:

Jane E. Vetto
Marion County Legal Counsel
PO Box 14500
Salem, OR 97309
jvetto@co.marion.or.us

***Attorneys for Amicus Washington,
Clackamas and Marion County District
Attorney:***

Billy Williams
Josh Newton
Best & Krieger LLP
360 SW Bond St., Ste. 400
Bend, OR 97702
billy.williams@bbklaw.com
josh.newton@bbklaw.com

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By: s/ Eric J. Neiman

Eric J. Neiman, OSB #823513
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